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SUBJECT: ERBIL RRT: Movement on the KRG Provincial Powers Law

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¶1. (SBU) SUMMARY: The KRG Council of Ministers (COM) and the Kurdistan National Assembly (KNA) are discussing the latest draft of the KRG Provincial Powers Law. In a sign of the KNA's limited but growing political independence from the KRG executive branch, the KNA rejected the previous draft on the grounds that it did not provide any real decision-making authority to the provincial level of the Kurdistan Region. The Kurdistan Region lags behind the rest of the country in devolving power to its provinces; several provincial interlocutors were pessimistic about the law's success and believe that the USG does not desire to see its passage. END SUMMARY

¶2. (U) The Kurdistan Regional Government has formed a new committee to discuss the latest draft of the KRG Provincial Powers law. The committee, headed by the Minister for the Region for KNA Affairs, Sa'ad Khalid Mohamed, and comprised of members of the legal committee of the KNA and the heads of the three provincial councils in the Kurdistan Region, was formed by the KRG Council of Ministers to discuss the changes to the law suggested by the KNA. (Comment: In a sign of the KNA's limited but growing political independence from the KRG executive branch, the KNA rejected the previous draft because it devolved no real responsibility to provincial administrations. END NOTE) After one or two additional meetings, Minister Mohamed is expected to take the results of the committee back to the CoM for review.

¶3. (SBU) In a November 17 meeting with Kurdistan Islamic Union (KIU) Dohuk Branch Head Gazi Saeed, Mr. Saeed was skeptical that the CoM will take the KNA-suggested changes into consideration because doing so would require a weakening of the authority of the central government in Erbil. Without a devolution of power from Erbil to the provincial level, Saeed does not believe that the interests of the provinces will be represented in Erbil. He requested that USG engage the CoM now and encourage them to approve a draft that devolves more authority to the provincial level.

¶4. (SBU) Dohuk Provincial Council Chairman Fadl Omar is one of the members of the committee that met on November 18. In a conversation with RRTOff immediately after the meeting, Dr. Fadl stated that the committee discussed the following major points: 1) a separate provincial-level budget allocation, distinct from the funds allocated to ministers in Erbil, programmed to the provincial level as the ministers deem appropriate; 2) a devolution of monitoring authority over the work of the provincial Directorates General to the Provincial Councils; 3) a requirement for the governor to resign as head of the Provincial Council as soon as elected to the office of governor. According to the Dohuk PC Chairman, Minister Mohamed was very cooperative but said that he must present these proposals to the COM for their consideration and approval. Dr. Fadl reiterated Provincial Councils' desire for the devolution of responsibility to the provincial level. He said that they would be satisfied with a Provincial Powers Law somewhere between the draft previously rejected by the KNA and the one counter-proposed by the KNA.

15. (U) On another note, Mr. Saeed expressed the KIU's belief that the US Embassy is working against the success of provincial level governments in the Kurdistan Region. As evidence, he cited the fact that the US Embassy went to great lengths and took extraordinary measures to facilitate the passage of the Provincial Elections Law in the rest of Iraq, but has done nothing to support the passage of the corresponding law in the Kurdistan Region. He also noted the pending termination of the LGP-II program in the Kurdistan Region, while the program will continue in the other provinces of Iraq. (NOTE: Until the program in the Kurdistan Region was terminated, LGP-II provided capacity-building training for the Provincial Councils. END NOTE)

16. (SBU) COMMENT: The Kurdistan Region lags behind the rest of the country in devolving power to the provinces. Within Dohuk especially, there is quiet but growing discontent about how ill-represented the province's interests are in Erbil. Sometimes referred to as the "orphan province" by residents, Dohuk's provincial activities are funded through the KDP's 52% "share" of the money the KRG receives from the central government, the bulk of which is spent on Erbil province. END COMMENT

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